



Application No. 10/822,806

Amendments to the Drawings:

The attached replacement drawing sheets makes changes to Figs. 1-9B and replace the original sheets with Figs. 1-9B.

Attachment: Replacement Sheets

**REMARKS**

Claims 1, 5-10, 12-18, and 20 are pending in this application. Claims 4-5, 8-9, and 11-12 are currently withdrawn from consideration. By this Amendment, claims 1, 5-6, 10, 12, 16, and 18 are amended, and claims 2-4, 11, and 19 are canceled. No new matter is added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

The Office Action objects to the drawings because they are handwritten. Figs. 1-9B are amended to obviate the objection. Accordingly, Applicant respectfully requests that the Examiner withdraw the objection to the drawings.

The Office Action rejects claims 1-3, 6-7, 10, 13-18, and 20 under 35 U.S.C. §102(e) as being anticipated by Yoshioka (U.S. Patent Application Publication No. 2005/0047495). The rejection as it pertains to canceled claims 2-3 is now moot. However, Applicant respectfully traverses the rejection as it pertains to the remainder of the claims.

Specifically, Applicant asserts that Yoshioka fails to disclose a method of testing a clock and data recovery device (CDR) including at least setting the phase of the clock based on a count value, changing the count value across a range of phase shifts, incrementing/decrementing the count value until a maximum/minimum count value is reached, and subsequently decrementing/incrementing the count value until a minimum/maximum count value is reached, as recited in independent claims 1, 10, 16, and 18.

Yoshioka merely discloses first and second phase interpolators (PIs) that only shift the phase and compensate the phase error. Yoshioka, however, fails to disclose at least changing the count value across a range of phase shifts, incrementing/decrementing the count value until a maximum/minimum count value is reached, and subsequently

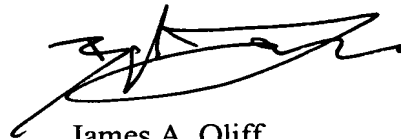
decrementing/incrementing the count value until a minimum/maximum count value is reached, as recited in independent claims 1, 10, 16, and 18.

In accordance with the above remarks, Applicant respectfully submits that independent claims 1, 10, 16, and 18 define patentable subject matter. Claims 5-7, 12-15, 17, and 20 depend from claims 1, 10, 16, and 18, respectively, and therefore, also define patentable subject matter, as well as for the additional features they recite. Thus, Applicant respectfully requests that the Examiner withdraw the §102(e) rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 5-10, 12-18, and 20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:BAZ/hs

Attachment:

Replacement Drawing Sheets (Figs. 1-9B)  
Petition for Extension of Time

Date: October 20, 2006

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